

REMARKS

In reply to the Office Action of March 8, 2006, Applicant submits the following remarks. Claims 1-3, 5, 7-10, 16-18, and 32-33 have been amended. Claims 15, 29-31 and 34-35 have been canceled. Applicant reserves the right to introduce the subject matter of the canceled or previously pending claims in one or more continuing applications. Applicant respectfully requests reconsideration in view of the foregoing amendments and these remarks.

Claim amendments

Claim 1 has been amended to include the subject matter of claim 15. Also, claim 1 has been amended to distinguish the first step from the second step, by amending the first limitation to recite, "performing one or more coarse classification separations" and the second limitation to recite "performing one or more fine classification separations". The wherein clause ("wherein performing . . . comprises") has been amended from as previously recited in the preamble of claim 15, to clarify the relationship between the limitations following the wherein clause and the previously recited steps of claim 1. Claims 7-10 have been amended to maintain proper antecedent basis after amendment to claim 1. Because claim 1 now includes the limitations of previously pending claim 15, claims 16-18 and 32-33 have been amended to depend from claim 1.

Section 102 Rejections

Claim 30 was rejected under 35 U.S.C. § 102(b) as being anticipated by Laskowski. Claim 30 has been canceled. Therefore, the applicant submits that the rejections is now moot.

Section 103 Rejections

Claims 1, 2, 5-11, 13-14, 29-31, 34 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Laskowski in view of Vandeputte. Because of the amendments to claims 1 and the cancellation of claims 29-31 and 34-35, the applicant submits that the rejections can be withdrawn.

Claim 1 has been amended to include the limitations of claim 15, which was found to be allowable if rewritten in independent form. Claims 2, 5-11 and 13-14 depend from claim 1. Therefore, the applicant submits claims 1-2, 5-11 and 13-14 are in condition for allowance.

Section 112 Rejections

Claims 1, 2, 5-11, 13-18 and 32-35 were rejected under 35 U.S.C. § 112, ¶ 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant believes that the amendments to claim 1 and the cancellation of claims 34-35 address the rejection.

Claim 1 has been amended to recite “performing one or more coarse classification separations” and the second limitation to recite “performing one or more fine classification separations”. Applicant believes this amendment addresses the Examiner's concerns and requests that the rejection be withdrawn. Claims 2, 5-11 and 13-18 depend from claim 1 and are also no longer indefinite because of the amendment to claim 1.

Allowable Subject Matter

Applicant thanks the Examiner for finding that claims 15-18, 32 and 33 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, ¶ 2 and to include all of the limitations of the base claim and any intervening claims. Applicant believes that the amendment to claim 1 to include the limitations of claim 15 and to respond to the section 112 rejection places the claims in condition for allowance.

Allowance of all of the claims is respectfully requested.

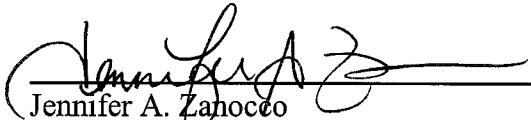
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No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

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